

ARTICLE 54

(Zoning Bylaw Amendment: Disaster Rebuild Bylaw)

To see if the Town will vote to amend Chapter 139 (Zoning) § 33 of the Code of the Town of Nantucket by adding the following subsection (*NOTE: new language is shown as highlighted text, language to be deleted is shown by strikeout; these methods to denote changes are not meant to become part of the final text*):

M. Disaster Rebuild. Pre-existing non-conforming structures, damaged or destroyed by accidental cause, including fire, or otherwise damaged or destroyed without the consent of the owner, may be repaired or reconstructed, provided that:

(1) The non-conforming nature of the repaired or reconstructed structure is not increased in any respect;

(2) The repaired or reconstructed structure shall be used in the same manner as the structure being replaced or otherwise used in compliance with the use limitations of the applicable zoning district; and

(3) A building permit for the repair or reconstruction shall be issued within two (2) years from the date of the damage or destruction; time incurred in resolving an appeal or other court action necessary for issuance of a building permit shall not be counted as part of the two (2) year limit. The Zoning Board of Appeals may extend the two (2) year period for good cause, provided that a request has been filed prior to expiration of the time period outlined above.

Or, to take any other action related thereto.

(Board of Selectmen for Planning Board)